

## REMARKS

This Amendment is responsive to the Examiner's Office Action dated August 3, 2007. Claims 1-12 remain in this application. Claim 1 has been amended. New Claim 12 has been added. No new matter has been added.

## ARGUMENTS

The Examiner maintains that Claims 1-7 are obvious under 35 USC 103 over Moriarty (WO 91/09193) in view of Drew or Tuomey.

Applicant respectfully submits that a significant difference between the present invention and Tuomey and Drew is that the distribution elements disclosed in both these references for alternately operating the propulsion means are operated by water. In contrast, the distribution element disclosed in the present application does not operate with water and it is placed on or in the main member of the floating body. There is no teaching, motivation or suggestion to modify the outboard source-dependent pressurized water energy source of Tuomey and Drew to use an onboard electrical energy source. Such energy sources are not interchangeable and the problems associated with successfully incorporating one energy source versus another into the collector are different.

Moriarty, Drew and Tuomey all disclose a floating debris collector adapted to float in a swimming pool and all have hose connection means for the connection thereto of a water supply hose. The water causes the propulsion of the floating debris collector through the swimming pool through nozzles that cause propulsion by water jets.

Moriarty does not provide intermittent water jets.

Drew and Tuomey provide intermittent water jets. The intermittent jets are obtained by connecting the nozzles to a valve which is connected to a pressurized water source. Drew describes a control means (column 5, lines 28-52) that connects selectively the nozzles, by a waterwheel propelled by the water coming from the hose. Tuomey describes at column 7, lines 26-33, that the pressurized water from the input hose causes the intermittent flow.

Claim 1 has been amended to include an onboard electric energy source, thereby making it self-propelled and distinguishing it from a non-electric pressurized hose which must be

connected to an outboard pressurized water supply. Further, Applicant has amended Claim 1 to incorporate the distribution element.

Therefore, Claim 1 is nonobvious over Moriarty, Drew and Tuomey, because (1) the collectors of Moriarty, Drew and Tuomey are not self-propelled, because they require a hose of pressurized water; (2) Moriarty, Drew and Tuomey do not have an electric energy source on the floating body; and (3) Moriarty, Drew and Tuomey do not have a distribution element that distributes alternately the energy to each propelling means with the rotation of the floating body.

Applicant respectfully submits that Claim 11 is allowable as being dependent from Claim 1 as amended.

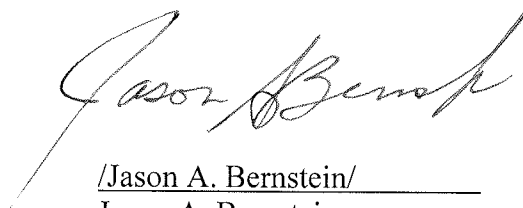
New Claim 12 is presented as Claim 1 without invoking means-plus-function construction.

### CONCLUSION

Applicant respectfully submits that the patent application is in condition for allowance and respectfully requests such action. If the Examiner has any questions that can be answered by telephone, please contact the attorney of record at the telephone number listed below.

Respectfully submitted,

POWELL GOLDSTEIN LLP



/Jason A. Bernstein/

Jason A. Bernstein

Reg. No. 31,236

One Atlantic Center, Fourteenth Floor  
1201 West Peachtree Street, NW  
Atlanta, GA 30309-3488  
(404) 572-6900  
(404) 572-6999 (fax)  
[jbernstein@pogolaw.com](mailto:jbernstein@pogolaw.com)